

REMARKS

This reply is being filed with a Request for Continued Examination (RCE).

Claims 10-13, 15, 16, and 32-37 were pending when the present Office Action was mailed on March 9, 2007. In this response, claims 10-11, 15-16, 34-36 have been amended. Claim 37 has been cancelled. Claim 38 has been newly added. Accordingly, claims 10-13, 15, 16, 32-36, and 38 are currently pending. No new matter has been added.

The foregoing amendment and the following arguments are provided generally to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

INTERVIEW SUMMARY STATEMENT

A telephonic interview was conducted between the Examiner Adnan M. Mirza and applicant's representative Yenyun Fu. The undersigned representative wishes to thank Examiner Mirza for the telephonic interview conducted on February 20, 2008. During the telephonic interview, proposed claim amendments to independent claim 10 and cited reference Roberts were discussed (and such amendment is reflected in the amendments above).

Applicant wishes to thank the Examiner for considering and evaluating the proposed amendments/remarks submitted in the after-final Office Action response.

The Examiner has indicated that he would further evaluate reference Roberts and provide feedback to proposed claim language amendments discussed during the interview if necessary, to place the claims in allowable condition. The Examiner further indicated that the claims would likely be allowable if the proposed amendments to the claims render the claims patentable over the reference Roberts upon further evaluation.

CLAIM REJECTIONS - 35 USC § 103

The Examiner has rejected claims 10-13, 15, 16, and 32-37 under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,101,486, to Roberts et al. ("Roberts") in view of U.S. Patent No. 6,330,550, to Brisebois et al. ("Brisebois"). Applicant respectfully disagrees. Claim 37 has been cancelled.

The cited references do not disclose all of the claimed subject matter in the independent claims

Applicant respectfully submits that when viewed as a whole, the cited references do not show the subject matter recited in the pending claims.

"To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)."

Applicant's independent claim 10 includes claimed subject matter that are not taught nor suggested by the references. Therefore, applicant's independent claim 10 is patentable over the references. The Examiner allegedly asserts (Office Action mailed November 27th, 2007, Page 5) that the Applicant's arguments are moot in view of the new ground(s) of rejections. Applicant respectfully disagrees.

Reference Roberts

The Examiner asserts that (Office Action mailed November 27th, 2007, Page 2) that Roberts disclosed "a method of receiving request from a first user to add a data set of a second user profile ... the URL having a second user identifier to correspond to the second user profile

based on the second user identifier (Roberts, col. 2, lines 50-59)." Applicant respectfully disagrees.

1. The cited references do not show "receiving a request to add a data set of a second user profile to a first user profile from a first user" (Claim 10)

2. The cited references do not show "the request is detected when the first user accesses a URL provided by the second user to the first user" (Claim 10)

3. The cited references do not show "the URL includes a unique identifier for identifying the second user profile" (Claim 10)

While Roberts discusses "a method and system for gathering and storing customer profile data when the customer accesses a website location (Roberts, abstract)", Roberts does not discuss or teach "receiving a request to add a data set of a second user profile to a first user profile from a first user" where "the request is detected when the first user accesses a URL provided by the second user to the first user", as claimed by applicant in independent claim 10.

For example, in Roberts:

"Systems and methods consistent with this invention accomplish these goals and provide other advantages by automatically collecting customer profile information when the customer accesses a company's website." (Col. 2, lines 31-38)

In Roberts, when a customer contacts (i.e., visits or accesses) the company web site, the customer profile is retrieved from the profile database. The method of Roberts of "collecting customer profile information when the customer accesses a company's website" is contrastingly different from **"receiving a request to add a data set of a second user profile to a first user profile from a first user"** where "the request is detected when the first user accesses a URL provided by the second user to the first user", as claimed by applicant in independent claim 10.

Applicant submits that the assertion made in the Office Action mailed on November 27, 2007 is not supported by Roberts. In order to establish Roberts as a proper prior art reference, the Examiner relies on the disclosure of Col. 2 lines 50-59 of Roberts:

"..., for customizing a website in accordance with user profile information includes several steps. Initially, a plurality of user identification data is received and used to create a user profile. The user profile is retrieved from a profile database when a call from the user is received. Thereafter, the user profile is compared to marketing material maintained by the company and a dynamic content message is generated. ... " (Col. 2, lines 50-59)

Though the user profile of a calling user is retrieved when a call is received, there is no indication of "receiving a request to add a data set of a second user profile to a first user profile from a first user" where " the request is detected when the first user accesses a URL provided by the second user to the first user", as claimed by applicant in independent claim 10.

Thus, the assertion made by the Examiner in the Office Action on November 27, Page 3 is unsupported by Roberts and thus applicant submits that Roberts is not a proper prior art reference.

Furthermore, Applicant's independent claim 10 includes the subject matter of "the URL includes a unique identifier to for identifying the second user profile". When viewed as a whole, the cited references do not show "the URL includes a unique identifier for identifying the second user profile".

Roberts discusses obtaining the user customer profile when the customer visits a website. For example, in Roberts,

"When the customer contacts (i.e., visits or accesses) the company website (Step 410), the customer profile is retrieved from profile database 170 by AC device 155 (Step 420) ... retrieving various dynamic content messages and displaying them on customer terminal 110 when the customer is viewing the company's website." (Col. 6, lines 21-23)

The website or URL of Roberts corresponds to a company webpage. The company's URL (webpage), when accessed by a customer, retrieves the customer profile of the customer. Thus, **the company URL as described by Roberts does not involve a user, nor does the URL involve "a unique identifier for identifying the second user profile"**. Thus, applicant respectfully submits that Roberts does not motivate, teach, or suggest a URL "a unique identifier for identifying the second user profile" as claimed by applicant in independent claim 10.

4. Roberts Teaches Away

In fact, applicant respectfully submits that Roberts teaches away from the claimed subject matter of "receiving a request to add a data set of a second user profile to a first user profile from a first user" where "the request is detected when the first user accesses a URL provided by the second user to the first user" since in Roberts, the user information of the customer who accesses the URL is obtained by a website, which is the **opposite of obtaining a different user's information by accessing a URL.**

Accordingly, applicant submits that Roberts teaches away from the claimed subject matter of "receiving a request to add a data set of a second user profile to a first user profile from a first user" where "the request is detected when the first user accesses a URL provided by the second user to the first user", as claimed by applicant in independent claim 10. Therefore, applicant respectfully submits that the claimed subject matter of independent claim 10 is not obvious over Roberts, and/or the additional art.

Reference Brisebois

The Examiner has rejected claims 10-13, 15, 16, and 32-37 under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,101,486, to Roberts et al. ("Roberts") in view of U.S. Patent No. 6,330,550, to Brisebois et al. ("Brisebois"). Applicant respectfully disagrees.

Brisebois was cited for the additional subject matter recited in the independent claims. Brisebois discusses systems and methods to facilitate a transaction between a user and a party represented by a server on a network.

Brisebois, however, also does not show the claimed subject matter of independent claim 10 not shown by Roberts,

1. "receiving a request to add a data set of a second user profile to a first user profile from a first user " where
2. "the request is detected when the first user accesses a URL provided by the second user to the first user", and
3. "the URL includes a unique identifier for identifying the second user profile", as claimed by applicant in independent claim 10.

Thus, even if Roberts and Brisebois were combined, the resulting disclosure and teaching would be different from what is claimed by the applicant in independent claim 10. The resulting disclosure would not include the limitations of "receiving a request to add a data set of a second user profile to a first user profile from a first user " where "the request is detected when the first user accesses a URL provided by the second user to the first user", and "the URL includes a unique identifier for identifying the second user profile" as claimed by Applicant. Thus, without admitting to the propriety of combining Roberts and Brisebois in a way presented in the Office

Action, Applicant submits that independent claim 10 is patentable over Roberts, Brisebois, and the combination of Roberts and Brisebois, at least for the above stated reasons.

Therefore, the withdrawal of the rejection of Applicant's independent claim 10 based on the combination suggested in the Office Action is respectfully requested, at least for the above stated reasons. Applicant's independent claims 34 and 38 are also allowable, at least for the above stated reasons.

Since the cited references do not show each and every aspect of the independent claims 10, 34, and 38, the dependent claims 11-13, 15, 16, and 32-36 of these independent claims are also patentable over the cited references, at least for the above discussed reasons. The withdrawal of the rejections is respectfully requested for claims 11-13, 15, 16, and 32-36.

Application No. 09/579,965
After Final Office Action of November 27, 2007

Docket No.: 418268646US

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Please charge any deficiencies or credit any overpayments to our Deposit Account No. 50-2207, under Order No. 418268646US from which the undersigned is authorized to draw.

Dated:

2/27/2008

Respectfully submitted,

By

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